



Molecular Probes, Inc.

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FAX Transmission Sheet

Date: March 13, 2003
From: Dr. Koren Anderson
To: Assistant Commissioner for Patents
Organization: U.S. Patent and Trademark Office
Fax: 1.703.872.9306
Subject: Patent Application No. 09/557,275

You should receive 54 pages including this cover sheet.

OFFICIAL

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GROUP 1600

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haugland and Yue)

Serial No.: 09/557,275)

Filed: April 24, 2000)

For: **Aza-Benzazolium Containing
Cyanine Dyes**)

Examiner: J. Fredman)

Group Art Unit: 1637)

TRANSMITTAL LETTER

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

Transmitted herewith are the following documents in the above-identified application.

- ☒ Response to Office Action
- ☒ Marked-up Version of the Claims
- ☒ Petition for Extension of Time
- ☒ Fee Transmittal Form (PTO/SB/17)

In the unlikely event that the Fee Transmittal Form is separated from these transmitted documents the Assistant Commissioner is hereby authorized to charge the **Deposit Account 13-3900** for any fees due in connection with the filing of this document. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED AS BEING ATTACHED OR ENCLOSED HERewith ARE BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE ON 3/13/03 TO 1.703.872.9305 By J. Fredman

In the event that the Patent Office determines that these documents were not timely filed within the one month extended deadline the Applicants hereby petition the Assistant Commissioner for an additional extension of time and hereby authorize the above-identified Deposit Account to be charged the appropriate fee under CFR § 1.17(a) for such a petition.

Respectfully submitted,

Date: March 13, 2003

Karen J. Anderson
Karen J. Anderson, Ph.D.
Reg. No. 51,061

Molecular Probes, Inc.
P.O. Box 22010
Eugene, Oregon, 97402
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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 110.0**Complete if Known**

Application Number	09/557,275
Filing Date	4/24/00
First Named Inventor	Richard P. Haugland
Examiner Name	J. Fredman
Art Unit	1637
Attorney Docket No.	

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
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Molecular Probes, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	
SUBTOTAL (2)			(\$) 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 830	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 110.00**SUBMITTED BY**

Name (Print/Type)	Koren J. Anderson, Ph.D.	Registration No. (Attorney/Agent)	51,061	Telephone (541) 984-565
Signature	<i>Koren J. Anderson</i>	Date	3/13-03	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-768-9199) and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haugland and Yue)

Serial No.: 09/557,275)

Filed: April 24, 2000)

For: **Aza-Benzazolum Containing
Cyanine Dyes**)

Examiner: J. Fredman)

Group Art Unit: 1637)

RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action mailed on November 20, 2002 and is submitted on or before the one month extended due date of March 20, 2003. A Petition for Extension of Time is also enclosed, along with Marked-Up Version of the Claims (*See*, Transmittal). Reconsideration and re-examination are requested.

The Examiner is respectfully requested to make the following amendments.

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED AS BEING ATTACHED OR ENCLOSED HERewith ARE BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE ON 3/13/03 TO 1.703.872.9306 By Julius Schragi